

184600

ELLIOTT & ELLIOTT, P.A.
ATTORNEYS AT LAW
721 OLIVE STREET
COLUMBIA, SOUTH CAROLINA 29205
elliott@elliottlaw.us

SCOTT ELLIOTT

TELEPHONE (803) 771-0555
FACSIMILE (803) 771-8010

February 22, 2007 **COPY**

Posted: D. Duke

Dept: SA

Date: 2-22-07

Time: _____

VIA HAND DELIVERY

Mr. Charles L. A. Terreni
Chief Clerk and Administrator
Public Service Commission of South Carolina
Post Office Drawer 11649
Columbia, South Carolina 29211

Re: Proceeding to Establish Guidelines for an Intrastate Universal Service Fund
Docket No. 1997-239-C

Dear Mr. Terreni:

United Telephone Company of the Carolinas ("Embarq") is in receipt of the notice of hearing issued on January 31, 2007 in the above-referenced docket. The notice provides that the Commission will hold a hearing on April 19, 2007 to address proposed modifications to the Guidelines for the South Carolina Universal Service Fund.

As you are aware, the order adopting the State USF Guidelines is the subject of an appeal currently pending before the South Carolina Supreme Court. Other aspects of the Guidelines have been appealed and are pending in Circuit Court, and the Circuit Court appeals have been held in abeyance pending resolution of the Supreme Court appeals. We are also in receipt of in recent days of legislation which has either recently been introduced or is expected soon to be introduced which would, although our review is incomplete, appear to have great impact upon the Guidelines.

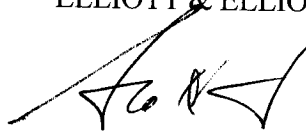
Because the above-referenced appeals remain pending and because it appears the legislature may now be taking action in this area, Embarq believes it would be premature for the Commission to re-examine the Guidelines at this time. It is Embarq's belief that a hearing at this time would not be in the public interest and would be an inefficient use of both the parties' and the Commission's limited resources and time.

RECEIVED
2007 FEB 22 AM 11:14
SC PUBLIC SERVICE
COMMISSION

Embarq respectfully requests that the Commission cancel the scheduled hearing and that it postpone re-examination of the Guidelines until the pending appeals have been resolved and the impact of any new legislation is apparent.

Sincerely,

ELLIOTT & ELLIOTT, P.A.

A handwritten signature in black ink, appearing to be 'Scott Elliott', written over a horizontal line.

Scott Elliott

SE/mlw

cc: Parties of Record

CERTIFICATE OF SERVICE

I hereby certify that I have served one copy of the attached letter dated February 22, 2007, in Docket No. 97-239-C on behalf of United Telephone Company of the Carolinas on all below listed parties to this proceeding by depositing a copy addressed to each in the United States Mail, first-class postage prepaid.

Sonia Daniels, Regulatory Specialist
AT&T Communications of the Southern States
Southern Region - AT&T External Affairs
1230 Peachtree, 4th Floor
Atlanta, GA, 30309

Gene V. Coker , Counsel
AT&T Communications of the Southern States, LLC
AT&T Law and Governmental Affairs
1230 Peachtree Street N.E., 4th Floor
Atlanta, GA, 30309

Patrick Turner , Counsel
BellSouth Telecommunications, Inc.
Post Office Box 752
Columbia, SC, 29202

John F. Beach , Counsel
Ellis, Lawhorne & Sims, P.A.
Post Office Box 2285
Columbia, SC, 29202

Anthony Mastando , Senior Manager/Regulatory Attorney
ITCDeltaCom Communications
7037 Old Madison Pike, Suite 400
Huntsville, AL, 35806

M. John Bowen Jr., Counsel
McNair Law Firm, P.A.
Post Office Box 11390
Columbia, SC, 29211

Robert D. Coble , Counsel
Nexsen Pruet Adams Kleemeier, LLC
Post Office Drawer 2426
Columbia, SC, 29202

RECEIVED
2007 FEB 22 AM 11:14
SC PUBLIC SERVICE
COMMISSION

Florence P. Belser , Esquire
Office of Regulatory Staff
Office of Regulatory Staff
Post Office Box 11263
Columbia, SC, 29211

Faye A. Flowers , Counsel
Parker Poe Adams & Bernstein, LLP
Post Office 1509
Columbia, SC, 29202

Steven W. Hamm, Esquire
Richardson Plowden Carpenter & Robinson, P.A.
P.O. Drawer 7788
Columbia, SC, 29202

Bonnie D. Shealy, Counsel
Robinson, McFadden & Moore, P.C.
Robinson, McFadden & Moore, P.C.
Post Office Box 944
Columbia, SC, 29202

Frank R. Ellerbe III , Counsel
Robinson, McFadden & Moore, P.C.
Post Office Box 944
Columbia, SC, 29202

Craig K. Davis , Esquire
SC Office of Info. Resources Budget & Control Board
Davis Law Firm
1420 Hagood Avenue
Columbia, SC, 29205

Robert E. Tyson Jr., Counsel
Sowell Gray Stepp & Laffitte, LLC
Post Office Box 11449
Columbia, SC, 29211

Zel Gilbert , Director External Affairs
Sprint
1122 Lady Street, Suite 1050
Columbia, SC, 29201

William R.L. Atkinson , Counsel
Sprint Nextel Corporation
233 Peachtree Street, N.E.
Suite 2200
Atlanta, GA, 30303

Stan J. Bugner , State Director/Regulatory & Government Affairs
Verizon Telecommunications, Inc.
1301 Gervais Street, Suite 825
Columbia, SC, 29201

Benjamin P. Mustian , Counsel
Willoughby & Hoefer, P.A.
Post Office Box 8416
Columbia, SC, 29202

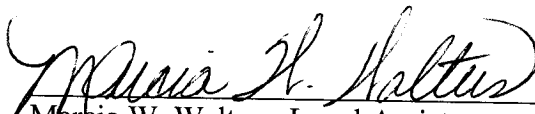
John M.S. Hoefer , Counsel
Willoughby & Hoefer, P.A.
Post Office Box 8416
Columbia, SC, 29202-8416

Ross Allen Buntrock , Counsel
Womble Carlyle Sandridge & Rice, PLLC
1401 Eye Street, Seventh Floor
Washington, DC, 20005

Susan B. Berkowitz , Sr. Mgr./Regulatory Attorney
Womens Shelter
SC Appleseed Legal Justice Center
P.O. Box 7187
Columbia, SC, 29202

Darra Cothran, Counsel
Woodward, Cothran & Herndon
Post Office 12399
Columbia, SC, 29211

This 22nd day of February, 2007.


Marcia W. Walters, Legal Assistant
Elliott & Elliott, PA
721 Olive Street
Columbia, SC 29205
803-771-0555